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Christopher W Kennerly Esq
Baker Botts LLP
2001 Ross Ave
Dallas, TX 75201-2980

EXAMINER

KALINOWSKI, ALEXANDER G

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/510,607

Applicant(s)

Kennedy

Examiner

Alexander Kalinowski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 23, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-42 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 12
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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DETAILED ACTION

1. Claims 11-42 are presented for examination. Applicant filed an amendment on 8/20/2001 amending the specification and amending claims 14 and 30. Applicant filed a request for continued examination on 1/23/2002. Applicant further filed an amendment on 1/23/2002, amending claims 11-19, 21-35, and 37-42.

Requirement for Information Under 37 C.F.R. § 1.105

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. The information is required to identify publications embodying the disclosed subject matter of a method and system for managing data associated with available to promise products. The Examiner upon conducting a search for prior art, discovered two published document titled "What new tools will best tame time?" and "Intelligent Manufacturing Report" (copies included). The "What new tools will best tame time?" document discloses a constraints based decision support software product called Rhythm that was offered for sale in November, 1993. The "Intelligent Manufacturing Report" discloses a planning and scheduling software product called "Rhythm" that computes available to promise information. In response to this requirement please

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provide any known publications, brochures, manuals and press releases that describe the software product Rhythm that was the subject of the two articles.

3. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an

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item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

Response to Arguments

2. Applicant's arguments with respect to claims 11-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11, 12, 15, 16, 18, 27, 28, 31, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over James et al., EP 425,405 A2 (hereinafter James) in view of Lee et al., Pat. No. 5,712,985 (hereinafter Lee).

As to claim 11, James discloses a system for managing data associated with available-to-promise (ATP) products (processes that take place in a typical manufacturing environment from the time the orders are received and the logic to arrive at the capability to

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promise and confirm planned shipping dates based on capacity constraints and product availability)(page 5, col. 2, lines 32-49), comprising:

planned supply of the product (i.e. planned orders to cover net requirements)(page 4, col. 1, lines 16-22 and page 7, col. 1, lines 47-51);

customer orders for the product through the seller (i.e. customer order servicing)(page 5, col. 2, lines 32-43); and

James does not explicitly disclose

two seller models that each represent a seller for one or more products each product being associated with a product forecast model; and

forecasted sales of the product through the seller.

However, Lee discloses each product being associated with a product forecast model (i.e. model covers each of a plurality of products)(col. 2, lines 1-9 and col. 5, lines 46-63); and forecasted sales of the product through the seller (i.e. forecast profile)(col. 3, lines 41-53). at least two seller models that each represent a seller for one or more products (page 5, lines 10-28). Finally, Lee discloses at least two seller models that each represent a seller for one or more products (i.e. the model should cover each of a plurality of products or business items to determine future business demand for a specific location)(col. 2, lines 1-9). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the teachings of Lee within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43).

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James does not explicitly disclose

preallocated supply of the product to the seller and

the system operable to compute the amount of the product that is ATP at the seller

according to the planned supply, the customer orders, the preallocated supply and the amount of the product that is ATP at one or more other sellers.

However, MPCS discloses preallocated supply of the product to the seller (i.e the system keeps track of six inventory balances for each inventory location (on hand, allocated, reserved for customers, held, in transit, and available to promise)(page 2, lines 8-15) and

the system operable to compute the amount of the product that is ATP at the seller

according to the planned supply, the customer orders, the allocated supply and the amount of the product that is ATP at one or more other sellers (i.e. inventory and purchasing management

module and resource planning module)(page 2). It would have been obvious to one of ordinary

skill in the art at the time of Applicant's invention to include preallocated supply of the product to

the seller and the system operable to compute the amount of the product that is ATP at the seller

according to the planned supply, the customer orders, the preallocated supply and the amount of

the product that is ATP at one or more other sellers as disclosed by MPCS within the James and

Lee combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

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As to claim 12, James does not explicitly disclose the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

However, MPCS discloses the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria (system keeps up to 6 different inventories balances for each location (page 2, lines 8-15). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the system of Claim 11, further operable to adjust the preallocated supply according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria as disclosed by MPCS within the James and Lee combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

As to claim 15, James does not explicitly disclose the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity.

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However, MPCS discloses the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity (i.e. resource planning module including demand forecasting. The forecast can be based on any type of independent demand (sales, warehouse replenishment, planned purchases))(page 2, lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the preallocated supply of the product for the seller according to the committed quantity as disclosed by MPCS within the James and Lee combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

As to claim 16, James discloses the system of Claim 11, further operable to:

accept a customer order requesting a quantity of a product through the seller (page 6, col. 1, lines 38-50)

James does not explicitly disclose

compute a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product.

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However, MPCCS discloses computing a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product (page 2, lines 8-15 and lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the preallocated supply of the product as disclosed by MPCCS within the James and Lee combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

As to claim 18, James discloses the system of Claim 11, further operable to adjust either the forecasted sales or the preallocated supply for a product for the seller according to an arrival rate of customer orders for the product through the seller (page 5, col. 1, line 33 - col. 2, line 18 and page 6, col. 1, lines 38-50).

As to claim 27, the claim is the corresponding method claim to system claim 11 and is rejected on the same basis as claim 11.

As to claims 28, 31, 32, and 34, the claims are similar in scope to claims 12, 15, 16, and 18 and are rejected on the same basis.

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5. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee and MPCS as applied to claim 11 above, and further in view of Dusty Rhodes, "The Keys to the Enterprise: Integrated Applications drive Information Systems to New Horizons"(hereinafter Rhodes).

As to claim 13, James, Lee and MPCS do not explicitly disclose the system of Claim 11, further operable to:

communicate forecast models to a remote system;

receive from the remote system a promise computed at the remote system for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply;

receive from the remote system adjusted forecast models reflecting the promise; and

recompute the amount of the product that is ATP at the seller.

However, James discloses receiving a promise for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (see abstract, page 5, col. 1, lines 33-59 and page 6, col. 1, lines 18-30). James further discloses receiving a promise for a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply recomputing the amount of the product that is ATP at the seller (page 3, col. 2, line 48 - page 4, col. 1, line 1). In addition, Lee discloses receiving adjusted forecast models reflecting the promise (i.e. variation between actual

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demand and the forecasted demand is used to update base and influence profiles and the forecasted demand is redetermined)(see abstract and col. 15 and col. 21, line 18 - col. 22, line 12). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include receiving adjusted forecast models reflecting the promise as disclosed by Lee within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43). Although James and Lee do not explicitly disclose remotely located systems, Rhodes discloses enterprise wide integration of sales, marketing, material and resource systems (i.e. SOP)(see abstract). Rhodes further discloses that forecast information is communicated to a remote system (i.e. forecasting is used to drive the master production schedule) (page 3, lines 11-25). The remote system transmits a promise reflecting a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (i.e. MPS linked with order management such that when a customer places an order... to determine what's currently in production to give viable available to promise dates)(page 3, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include performing the steps of claim 13 in remotely located systems within the James, Lee, and MPCS combination for the motivation of achieving business goals such as improved customer service, increased productivity and greater profitability (page 1, lines 43-45 and page 2, lines 14-25).

James and Lee do not explicitly disclose

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computing a promise for the customer order, the promise being computed according to the preallocated supply of the product.

However, MPCS discloses computing a promise for the customer order, the promise being computed according to the preallocated supply of the product (page 2, lines 8-15 and lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer order, the promise being computed according to the preallocated supply of the product as disclosed by MPCS within the James, Lee and Rhodes combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

As to claim 14, James does not explicitly disclose the system of Claim 13, wherein:
all forecast models for one or more sellers are communicated to the remote system;
the system receives from the remote system a promise also computed according to the amount of product that is ATP at one or more other sellers; and

adjust the amount of the product that is ATP at one or more other sellers if the promise exceeds the allocated supply for the seller.

However, James discloses receiving a promise for a customer order computed according to the amount of product that is ATP at one or more other sellers (see abstract, page 5, col. 1, lines 33-59 and page 6, col. 1, lines 18-30). James further discloses adjusting the amount that is ATP at one or more other sellers if the promise exceeds the allocated supply for the seller (page 3, col. 2,

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line 48 - page 4, col. 1, line 1). In addition, Lee discloses receiving forecast models for one or more sellers (see abstract and col. 6, lines 35-60). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include receiving forecast models for one or more sellers within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43). Although James and Lee do not explicitly disclose remotely located systems, Rhodes discloses enterprise wide integration of sales, marketing, material and resource systems (i.e. SOP)(see abstract). Rhodes further discloses that forecast information is communicated to a remote system (i.e. forecasting is used to drive the master production schedule) (page 3, lines 11-25). The remote system transmits a promise reflecting a customer order requesting a quantity of a product through the seller, the promise being computed according to the allocated supply (i.e. MPS linked with order management such that when a customer places an order... to determine what's currently in production to give viable available to promise dates)(page 3, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include performing the steps of claim 13 in remotely located systems within the James, Lee and MPCS combination in order to achieve business goals such as improved customer service, increased productivity and greater profitability (page 1, lines 43-45 and page 2, lines 14-25).

James, Lee and Rhodes do not explicitly disclose

adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of the product to the seller.

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However, MPCCS discloses adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of the product to the seller (page 2, lines 8-15 and lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include adjusting the amount that is ATP at one or more sellers if the promise exceeds the preallocated supply of the product to the seller as disclosed by MPCCS within the James, Lee and Rhodes combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee and MPCCS as applied to claim 11 above, and further in view of Frank O. Smith, "Dun & Bradstreet Software Delivers Sales and Promotion System to Manufacturers" (hereinafter Smith).

As to claim 17, James does not explicitly disclose the system of Claim 11, wherein:

each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;

each policy rule comprises a restriction on either the forecasted sales or the preallocated supply of the product for the seller; and

either the forecasted sales or the preallocated supply of the product is computed according to the policy rules.

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However, Smith discloses each forecast model is extensible such that one or more policy rules may be associated with the corresponding product (i.e. SPS allows manufacturers to create and manage special product promotions based on product categories or items)(page 1, lines 21-30). Smith further discloses each policy rule comprises a restriction on either the forecasted sales or the allocated supply for the seller (i.e. price and discount effectivity dating)(page 2, lines 1-5). Finally, Smith discloses either the forecasted sales or the allocated supply is computed according to the policy rules (i.e. The system takes into account impact of scheduling the requested customer orders with orders already in progress.(page 4, col. 2, lines 35-47, page 5, col. 1, lines 37-40 and page 6, col. 2, lines). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features of Smith within the James, Lee and MPCS combination for the motivation of speed and ease of online management of orders tied to special promotions (page 1, lines 32-34).

7. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee, and MPCS as applied to claim 27 above, and further in view of Rhodes.

As to claims 29 and 30 the claims are similar in scope to claims 13 and 14 and are rejected on the same basis.

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8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee, and MPCS as applied to claim 27 above, and further in view of Smith.

As to claim 33., the claim is similar in scope to claim 17 and is rejected on the same basis.

9. Claims 19-26, 35-37, and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over James in view of Lee, MPCS and Smith

As to claim 19, James discloses a system for managing data associated with available-to-promise (ATP) products (i.e. processes that take place in a typical manufacturing environment from the time the orders are received and the logic to arrive at the capability to promise and confirm planned shipping dates based on capacity constraints and product availability)(page 5, col. 2, lines 32-49), comprising:

planned supply of the product (i.e. planned orders to cover net requirements)(page 4, col. 1, lines 16-22 and page 7, col. 1, lines 47-51);

customer orders for the product through the seller (i.e. customer order servicing)(page 5, col. 2, lines 32-43); and

allocated supply of the product to the seller (i.e. The system takes into account impact of scheduling the requested customer orders with orders already in progress. Check if there is unallocated inventory. If the system checks to see if there is unallocated inventory, then some of

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the inventory is allocated.)(page 4, col. 2, lines 35-47, page 5, col. 1, lines 37-40 and page 6, col. 2, lines 3-16); and

wherein the system is operable to compute the amount of the product that is ATP at the seller according to the planned supply, the customer orders, the allocated supply, and the amount of the product that is ATP at one or more other sellers (i.e. planned production activity performed by CRP system, customer orders, allocated supply)(page 4, col. 2, lines 48-59, page 5, col. 1, line 33 - col. 2, line 18, and page 7, col. 1, lines 47-51).

James does not explicitly disclose

each product being associated with a product forecast model and
forecasted sales of the product through the seller.

However, Lee discloses each product being associated with a product forecast model (i.e. model covers each of a plurality of products)(col. 2, lines 1-9 and col. 5, lines 46-63); and

forecasted sales of the product through the seller (i.e. forecast profile)(col. 3, lines 41-53). It

would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include each product being associated with a product forecast model and forecasted sales of the product through the seller within the James system in order to provide products in timely response to customer demands (col. 1, lines 37-43).

James and Lee do not explicitly disclose

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preallocated supply of the product to the seller, the preallocated supply being a supply for the product that has been preallocated to the seller for promising to subsequent customer orders for the product through the seller and

the system is operable to compute the product that is ATP at a seller according to the planned supply, the customer orders, the preallocated supply and the amount that is ATP at one or more of the sellers.

However, MPCS discloses preallocated supply of the product to the seller (i.e the system keeps track of six inventory balances for each inventory location (on hand, allocated, reserved for customers, held, in transit, and available to promise)(page 2, lines 8-15) and

the system operable to compute the amount of the product that is ATP at a seller

according to the planned supply, the customer orders, the allocated supply and the amount of the product that is ATP at one or more other sellers (i.e. inventory and purchasing management module and resource planning module)(page 2). It would have been obvious to one of ordinary

skill in the art at the time of Applicant's invention to include preallocated supply of the product to the seller, the preallocated supply being a supply for the product that has been preallocated to the seller for promising to subsequent customer orders for the product through the seller and the

system is operable to compute the product that is ATP at a seller according to the planned supply, the customer orders, the preallocated supply and the amount that is ATP at one or more of the

sellers as disclosed by MPCS within the James and Lee combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

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James, Lee and MPCS do not explicitly disclose

at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction.

However, Smith discloses at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction (i.e. SPS enables manufacturers to easily track and manage special sales promotions separate and independent of standard company pricing policy. SPS enables manufacturers to create and manage special product promotions based on ... by customer type or specific customer account.)(page 1, lines 21-30). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction within the James, Lee and MPCS system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

As to claim 20, James discloses he system of Claim 19, wherein the restrictions are selected from the group consisting of quantity restrictions, and lead time restrictions (i.e. whether

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customer specified date can be met. Check if requirements can be satisfied by unallocated inventory or unallocated scheduled production.)(page 5, col. 1, line 33 - col. 2, line 18).

James does not explicitly disclose wherein the restrictions are selected from price restrictions.

However, Smith discloses wherein the restrictions are selected from price restrictions (i.e. ,manage special sales promotions separate and independent of standard company pricing policy). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include wherein the restrictions are selected from price restrictions within the James system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

As to claim 21, the claim is similar in scope to claim 12 and is rejected on the same basis.

As to claim 22, the claim is similar in scope to claim 13 and is rejected on the same basis.

As to claim 23, the claim is similar in scope to claim 15 and is rejected on the same basis.

As to claim 24, James, Lee and MPCs do not explicitly disclose the system of Claim 19, further operable to:

accept a customer order requesting quantities of one or more items through the seller; and

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compute a promise for the customer order according to the allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products.

However Smith discloses accepting a customer order requesting quantities of one or more items through the seller and computing a promise for the customer order according to the allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products (i.e. SPS enables manufacturers to easily track and manage special sales promotions separate and independent of standard company pricing policy. System enhancements include on line available to promise by item ...)(page 1, lines 21-30 and page 2, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include accepting a customer order requesting quantities of one or more items through the seller and computing a promise for the customer order according to the allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products within the James, Lee and Smith system in order to speed and ease online management of orders tied to special promotions (page 1, lines 32-34).

James and Lee do not explicitly disclose

computing a promise for the customer according to the preallocated supply for corresponding products.

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However, MPCS discloses computing a promise for the customer order, the promise being computed according to the preallocated supply of the product (page 2, lines 8-15 and lines 28-33). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include computing a promise for the customer according to the preallocated supply for corresponding products as disclosed by MPCS within the James, Lee and Rhodes combination for the motivation of ease of use in a wide variety of multi-warehouse or multi-company environments (page 1, lines 28-32).

As to claim 25, the claim is similar in scope to claim 17 and is rejected on the same basis.

As to claim 26, the claim is similar in scope to claim 18 and is rejected on the same basis

As to claim 35, the claim is the corresponding method claim to system claim 19 and is rejected on the same basis as claim 19.

As to claims 36, 37, and 39-42, the claims are similar in scope to claims 20, 21, and 23-26 and are rejected on the same basis.

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10. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over James, Lee and Smith as applied to claim 35 above, and further in view of Rhodes.

As to claim 38, the claim is similar in scope to claim 22 and is rejected on the same basis.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. "Intelligent Manufacturing Report" discloses a planning and scheduling software product that improves real time order promising.

b. "What new tools will best tame time?" discloses a constraint based decision support system that optimizes for both materials and constraints.

c. "Cut Costs with Integrated Software" discloses a system that computes timely available to promise information when an order comes in.

d. "Intelligent Manufacturing Report" discloses a planning and scheduling software tool that improves real time order promising.

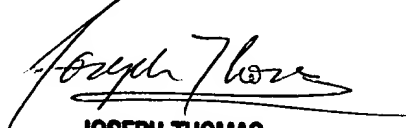
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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 8:30 AM to 6:00 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reached the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 305-0040.

Alexander Kalinowski *AK*

3/21/2002


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100